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## REMARKS

§102(b) Rejection based on Salyer (US Patent 6,001,105) and Temeles (US Patent 6,283,971):

The Examiner has rejected claims 1-12 under §102(b) as being anticipated by Salyer (US Patent No. 6,001,105). Applicant has amended the claim so as to make more clear what is meant by a matched arc cutting edge.

Concerning Temeles, Applicant thanks the Examiner for seeking clarification regarding Applicant's position regarding Temeles. Applicant does not agree with the Examiner's position with this prior art reference and again, if the Examiner deems it helpful, seeks an interview with the Examiner for clarifications allowing him to properly respond to the Temeles rejection.

As amended, it is believed that it cannot be fairly said that the cited prior art anticipate a reamer which has teeth that have a *"matched arc cutting edge defining a segment of a longer, single matching curve which makes up at least a portion of the cutting profile of the overall cut shape to be cut, the segment, when combined with that of at least one other tooth on the reamer, making up at least a portion of the cutting profile to be cut, thereby reducing a number of teeth required to cut the shape."* The subject of the interview will be this limitation or preferred alternate language, such as the below:

*An acetabular reamer for cutting a required overall cut shape defining a profile, comprising a cutting shell having a series of cutting teeth thereon, wherein substantially all the teeth have a matched arc cutting edge of substantial length connected to the shell by adjacent rise portions, and wherein surfaces cut by at least two teeth overlap so that, in combination, the*

*at least two teeth cut substantially a single contiguous surface which is at least a portion of an overall cut surface, thereby reducing a number of teeth required to cut the shape.*

In light of the Undersigned informal discussion with the Examiner about this case, it is evident to Applicant that there is merely a typological or definitional obstacle that must be overcome for the Examiner to find allowable subject matter. Applicant believes that an interview will be very helpful in finding a common ground definition suitable to both parties and so makes himself available to participate in such an interview. However, if the Examiner is willing to indicate the amended claims as allowable, the interview may of course be dispensed with.

Conclusion

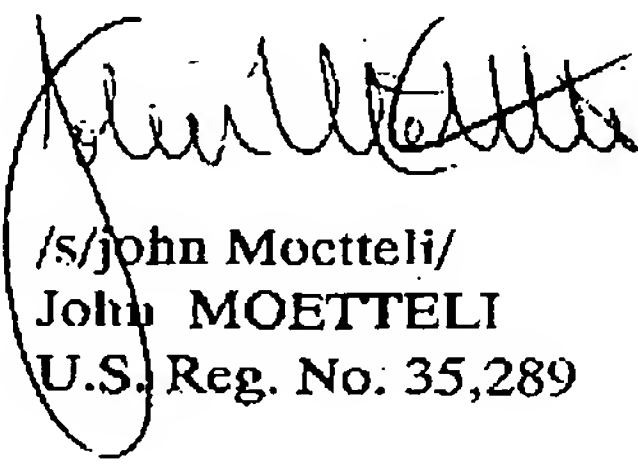
Applicant has made a diligent effort to advance the prosecution of this application by amending claims and pointing out herein with particularity how the claims now presented are patentably distinct from the prior art of record. Therefore, Applicant respectfully submits that the claims are now in condition for allowance. No new matter has been entered by this amendment. Any limitations to the claims are made solely for the purpose of expediting the prosecution of the application and, unless otherwise expressly stated, are not made to narrow, vis-à-vis the prior art, the scope of protection which any subsequently issuing patent might afford. Again, if the Examiner has further questions, he is invited to contact the undersigned at phone 011-4171-230-1000, fax at 011-4171-230-1001 (Switzerland is 6 hours ahead of Eastern Std Time), or e-mail at [moetteli@patentinfo.net](mailto:moetteli@patentinfo.net).

Further, it is believed that Applicant no longer qualified for small entity status and therefore requests that the Commissioner debit all fees for this Applicant as Large Entity, until otherwise informed.

Applicant petitions the commissioner for an extension of time to respond of one month, and the Undersigned authorizes the Commissioner to charge any fee or credit any overpayment of any fee under 37 CFR §1.16 and §1.17 which may be required in this application to the deposit account of MOETTELI & ASSOCIES SARL, no. 50-2621.

Respectfully submitted,

Date : 21 Jan 2008

  
/s/ John Moetteli/  
John MOETTELI  
U.S. Reg. No. 35,289

Enclosure: Interview Request Form